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14 Attorneys for Plaintiff

15 ALICIA MACKEY

16
17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

19 ALICIA MACKEY,

Case No.: CV 09 2288 CRB

20 Plaintiff,

21 **STIPULATION AND [PROPOSED] ORDER**
22 **TO CONTINUE CASE MANAGEMENT**
23 **CONFERENCE AND RELATED DATES**

24 v.

25 AETNA LIFE INSURANCE COMPANY;
26 INTEL TOTAL COMPENSATION AND
27 BENEFIT PACKAGE; INTEL CORPORATION
28 LONG TERM DISABILITY PLAN,

Complaint filed: May 22, 2009

Defendants.

1 Plaintiff ALICIA MACKEY ("Plaintiff") and Defendant INTEL CORPORATION
2 LONG TERM DISABILITY PLAN ("Defendant"), by and through their respective
3 undersigned attorneys, hereby stipulate and agree to continue the date of the Court's Initial
4 Case Management Conference and all related dates, as well as the dates of the meet and
5 confer and disclosures required by Federal Rules of Civil Procedure Rule 26, as set forth
6 below.

7

8 WHEREAS, on May 22, 2009, the Court filed its Order Setting Initial Case
9 Management Conference and ADR Deadlines;

10

11 WHEREAS, on June 22, 2009, the Court rescheduled the Initial Case
12 Management Conference in this ERISA action for September 4, 2009 at 8:30 a.m. before
13 the Honorable Charles R. Breyer (Docket Nos. 15, 15-1);

14

15 WHEREAS, the parties have not previously sought to continue or extend any
16 of the deadlines in this ERISA action related to the Initial Case Management Conference
17 and related dates, or disclosures required by Rule 26;

18

19 WHEREAS, the Court's Order Setting Case Management Conference (Docket
20 No. 15-1) provides, in pertinent part, that "[i]f the conference is inconveniently scheduled, it
21 may be rescheduled by stipulation and order to another date or time convenient to the
22 Court's calendar";

23

24 WHEREAS, counsel for Defendant will be out of California and unavailable on
25 a previously-scheduled vacation over the next two weeks, and counsel for the parties agree
26 that it would facilitate efficient and expeditious Rule 26 disclosures, consideration of ADR
27 options, and general scheduling in this ERISA action, to modify the current deadlines
28 including the date set for the Initial Case Management Conference and related dates.

1 NOW, THEREFORE,

2 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and
3 Defendant, by and through their respective undersigned attorneys of record, to continue the
4 date set by the Court for the Initial Case Management Conference as well as all related
5 dates, including the dates related to the parties' meet and confer in accordance with FRCP
6 Rule 26 and the parties' consideration and selection of an ADR process, as follows:

7

8 September 16, 2009

Last day for parties to:

- 9 • Meet and confer re initial disclosures, early
10 settlement, ADR process selection, and
11 discovery plan;
- 12 • File ADR Certification signed by Parties
13 and Counsel;
- 14 • File either Stipulation to ADR Process or
15 Notice of Need for ADR Phone
16 Conference.

17 September 30, 2009

18 Last day for parties to file Rule 26(f) Report,
19 complete initial disclosures or state objection in
20 Rule 26(f) Report and file Joint Case Management
21 Conference Statement per Standing Order.

22 October 9, 2009
23 8:30 a.m.

24 Initial Case Management Conference in
25 Courtroom 8, San Francisco at 8:30 a.m.

26 Good cause exists for this continuance of the existing date of the Initial Case
27 Management Conference and related deadlines, including the date of the parties' meet and
28 confer in accordance with FRCP Rule 26 and the parties' consideration and selection of an
ADR process Rule, as set forth above.

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31 ///

1 IT IS SO STIPULATED.
2
3

Dated: August 7, 2009

KANTOR & KANTOR LLP

5 By: _____ /s/
6 Peter S. Sessions
7 Attorneys for Plaintiff ALICIA MACKEY
8
9

Dated: August 7, 2009

MILLER LAW GROUP
A Professional Corporation

10 By: _____ /s/
11 Katherine L. Kettler
12 Attorneys for Defendant
13 INTEL CORPORATION LONG TERM
14 DISABILITY PLAN
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SAN FRANCISCO, CALIFORNIA

ORDER

Having reviewed the Stipulation executed by Plaintiff ALICIA MACKEY and Defendant INTEL CORPORATION LONG TERM DISABILITY PLAN, and good cause appearing, the Court hereby orders that the Initial Case Management Conference and associated dates, including the deadlines for the parties' meet and confer in accordance with FRCP Rule 26 and the parties' consideration and selection of an ADR process, are VACATED, and are rescheduled as set forth below.

September 16, 2009

Last day for parties to:

- Meet and confer re initial disclosures, early settlement, ADR process selection, and discovery plan;
- File ADR Certification signed by Parties and Counsel;
- File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

September 30, 2009

Last day for parties to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Joint Case Management Conference Statement per Standing Order.

October 9, 2009
8:30 a.m.

Initial Case Management Conference in Courtroom 8, San Francisco at 8:30 a.m.

IT IS SO ORDERED.

Dated: August 11, 2009

